UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/896,207	06/28/2001	Travis J. Muhlestein	MS1-692US	7580

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EXAMINER
TRUONG, LECHI

ART UNIT	PAPER NUMBER
2126	

DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No.	Applicant(s)
	09/896,207	TRAVIS
	Examiner	Art Unit	
	LeChi Truong	2126	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>*01 September 2004*</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-37* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:
   1.☐ Certified copies of the priority documents have been received.
   2.☐ Certified copies of the priority documents have been received in Application No. _____.
   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
       application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)
   since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.
   37 CFR 1.78.
   a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific
   reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892) ◊ 4)☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5)☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . 6)☐ Other: .

DETAILED ACTION

1. Claims 1-37 are presented for the examination.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2.   Claims 27-31 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

   a.   The term "interpreting the command based on the current operation environment of the command line interface" in claim 27 was not described in the specification.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims **1-26, 33, 37** are rejected under 35 U.S.C. 103(a) as being unpatentable

over Glass (US. Patent 6,629,128 B1) in view of Memmontt et al (US. 6,560,591 B1).

4.   **As to claim 1,** Glass teaches the invention substantially as claimed including: the

command line utility (interface generator 250 is a command line predevelopment utility,

col 19, ln 10-14/ Fig. 3/ 10/11), an object mode command schema (client side type

generator, col 17, ln 54-58/ col 18, ln 47-53), one or more commands(type object 170,

col 17, ln 54-58/ function objects 210, col 18, ln 47-53), an object mode target schema

(the method of server object 110, col 17, ln 54-58, col 18, ln 47-53), an object mode

command schema to define correspondence between one ore more commands (col 17, ln

50-58/ col 18, ln 47-55), the one or more commands generated by the command schema

and configured to operate against the target schema through the command line utility(col

17, ln 50-58/ col 18, ln 47-55).

5.   Glass does not explicit teaches a correspondence as a mapping. However,

Memmott teaches mapping (mapping of at least a portion of the query received in task

into the namespace of the data provider indicated by the corresponding data provider

identifier, col 5, ln 50-55/ col 9, ln 64-68).

6.   It would have been obvious to one of the ordinary skill in the art at the time the

invention was made to combine the teaching of Glass and Memmott because Memmott's

mapping would avoids confusion among the datasets which the system provides. In

additional, Memmontt's system would support a particular type of query so that it can

direct a query to a preferred provider.

7.   **As to claim 2**, Memmontt teaches an alias class (class 1, col 5, ln 18-30/ col 4, ln
40-60), a command template (list, col 5, ln 18-30), a single command (sub-class, col 5, ln
18-30).

8.   **As to claim 3**, Memmontt teaches a verb class/ a format class/a connection class
as a subclass (subclass, col 5, ln 17-30/ the next node in the decision tree, col 4, ln 40-
60), each instance of the verb class/ format class/ connection class (a storage devie or a
display devices, col 4, ln 36-60), a list of properties (list B /C, col 6, ln 18-30/ col 5, ln
46-60/ col 8, ln 1-15), a connection to a target namespace (the namespace of the data
provider, col 5, ln 46-60).

9.   **As to claim 4,** Memmontt teaches a parameter class as subclass (sub-sub class,
col 5, ln 18-30), each instance of the parameter class resenting parameters (internal to the
system or external, col 4, ln 36-60).

10.   **As to claim 5,** Memmontt teaches a property class as a subclass to the format
class (sub-sub class, col 5, ln 18-30), each instance of the property class representing
property value (temperature, hard disk drive status, col 4, ln 55-60), a list of properties
(list corresponding to queries, col 4, ln 55-60).

11.   **As to claims 6, 7,** Memmontt teaches a localized string class/ a qualifiers class
(class 1, class 2, col 5, ln 18-30), each instance (a hardware device or software
application, col 4, ln 36-60), language specific text/ qualifiers (CPU speed/ capacity...
col 4, ln 40-60/ version, col 7, ln 50-67).

12.   **As to claim 8**, Memmontt teaches a see-also association (a list, col 4, ln 55-60/
col 5, ln 18-30), each instance (CPU speed and or temperature... col 4, ln 40-60), an alias
(class 1/ class 2, col 5, ln 18-30).

13.   **As to claim 9**, Memmontt teaches role-oriented (class, subclass, col 5, ln 18-30),

namespace (namespace, col 5, ln 48-60/ col 6, ln 45-55), command related to particular

administrative tasks are found together (all queries relating to a particular hardware or

software component or all queries within the same class or subclass, col 7, ln 50-67),

other parts thought the decision tree may lead to lists corresponding to queries relating to

other hardware components (CPU speed and or / temperature, hard disk status and / or

capacity, et al ., col 4, ln 55-60).

14.   **As to claims 10, 11**, Memmontt teaches the generation of additional commands to

added/ permits reconfiguration of the one or more commands (upgrade components and/

or components added later, col 5, ln 18-30).

15.   **As to claim 12**, it is an apparatus claim of claims 2-8; therefore, it is rejected for

the same reasons as claims 2-8.

16.   **As to claim 13**, Memmontt teaches target scheme (data requestor, col 3, ln 16-

41), a WMI object mode (WMI, col 3, ln 16-41).

17.   **As to claim 14**, Memmontt teaches a plurality of command schemas (class 1/

class 2, col 5, ln 18-30), an instant of one or more commands (subclass, col 5, ln 18-30).

18.   **As to claim 15,** Memmontt teaches a local machine/ remote machines (different

machine and communication, col 3, ln 12-25).

19.   **As to claim 16**, it is an apparatus claim of claim 12; therefore, it is rejected for the

same reason as claim 12 above.

20.   **As to claim 17**, it is an apparatus claim of claim1; therefore, it is rejected for the

same reason as claim 1 above. In additional, Memmontt teaches an interface utility

(interface module 140, col 8, ln 63-67 to col 9, ln 1-19/ the data resolver 120/ data

provider 130, col 3, ln 42-62/ selection task P120 as a decision tree, col 4, ln 21-60/col 5, ln 18-30).

21.   **As to claim 18,** Memmontt teaches a command line utility (interface module 140, col 8, ln 63-67 to col 9, ln 1-19/ the data resolver 120/ data provider 130, col 3, ln 42-62/ selection task P120 as a decision tree, col 4, ln 21-60/ col 5, ln 18-30).

22.   **As to claim 19,** Memmontt teaches a graphic user interface (in another application of data resolver 120, the query maybe received from a data requestor who is a human user, col 4, ln 5-9).

23.   **As to claims 20-25,** they are apparatus claims of claims 1, 9-12; therefore, they are rejected for the same reasons as claims 1, 9-12.

24.   **As to claim 26,** Memmontt teaches second object model (data requestor 110, col 3, ln 26-40), a WMI object model (WMI, col 3, ln 26-40).

25.   **As to claim 33,** it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above. In additional, Memmontt teaches a user interface (a human user, col 4, ln 5-9), parameter (the query, col 4, ln 5- 9), an alias class (class 1/ class 2, col 5, ln 20-30).

26.   **As to claim 37,** it is an apparatus claim of claim 33; therefore, it is rejected for the same reason as claim 33 above.

27.   Claims **27-32** are rejected under 35 U.S.C. 103(a) as being unpatentable over Memmontt et al (US. 6,560,591 B1) in view of Glass (US. Patent 6,629,128 B1) and further in view of Steve (Network and System Management with XML).

28.   **As to claim 27,** Memmontt teach a command (the query, col 3, ln 26-48),

interface (the data resolver 120/ data provider 130, col 3, ln 42-62/ selection task P120 as

a decision tree, col 4, ln 21-60/col 5, ln 18-30/ interface module 140, col 8, ln 63-67 to

col 9, ln 1-19), an alias (class 1/ class 2, col 5, ln 18-30/ decision tree, col 4, ln 22-60),

interpreting (error handing/ time out occurs, col 6, ln 25 –58/ Fig. 8), based on the alias

(determine whether further list entries, col 6, ln 25-42), the current operating environment

of the command line interface(response has been received from the data provider, col 6,

ln 42-58), executing(mapping, col 5, ln 47-60), a target namespace(the namespace of

provider, col 5, ln 47-60), executing one ore more commands as one or more WMI API

calls(col 9, ln 10-15), XML form(extensible markup language (XML), col 3, ln 27-40),

presenting (returned , col 3, ln 55-62).

29.   Memmott does not explicit teach a command line interface. However, Glass the

teaches command line interface(a command line predevelopment uility, col 19, ln 10-

15).

30.   It would have been obvious to one of the ordinary skill in the art at the time the

invention was made to combine the teaching of Memmott and Glass because Glass's

command line interface would be able to add interfaces to class files within the exitsing

software. Thus, the adding interfaces allow classes to be used remotely in the distributed

computing system.

31.   Memmott and Glass do not teach an XSL style sheet. However, Steve teaches

command line (a command line interface, page 5 of 8, ln -8), an XSL style sheet (XSL,

page 4of 8, ln 38-45 to page 5 of 8, ln 1-8).

32.   It would have been obvious to one of the ordinary skill in the art at the time the

invention was made to combine the teaching of Memmott, Glass and Steve because

Steve's XSL would display a style sheet which will allow user to view a body of data

expressed in XML format.

33.   As to claim 28, Memmott teaches an instance of an alias class(CPU speed an / or

temperature, col 4, ln 50-60).

34.   **As to claim 29**, Memmott teaches command entries (list entries, col 6, ln 45-55).

35.   **As to claim 30**, Memmott teaches a primary class (class 1, class 2, col 3, ln 20-

30).

36.   **As to claims 31, 32**, they are apparatus of claims of claims 12, 27; therefore, they

are rejected for the same reasons as claims 12, 27 above.

37.   Claims **34-36** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Glass (US. Patent 6,629,128 B1) in view of Memmontt et al (US. 6,560,591 B1) and

further in view of Steve (Network and System Management with XML).

38.   As to claim 34, Memmott teaches data (the query characteristic, col 6, ln 45-58),

user interface (human user, col 4, ln 5-9), target object (the distributed management

schemes for the query / a similar scheme such as Windows Management Interface, col 3,

ln 28-40/ a particular distributed management scheme, col 3, ln 54-61), XML (XML, col

3, ln 29-40), the alias (class 1/ class 2, col 5, ln 20-30).

39.   Glass and Memmott do not teach an XSL style sheet, formatting the data,

displaying data. However, Steve teaches an XSL style sheet (XSL, page 4of 8, ln 38-45

to page 5 of 8, ln 1-8), formatting the data, displaying data (the XML document can also be format and displayed with Cascading Style Sheets (CSS) ... XSL which take better qualities of CSS, page 4 of 8, ln 38-45).

40.   It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Glass, Memmott, and Steve because Steve's XSL, the XML document can be formatted and displayed with Cascading Style Sheets (CSS)... XSL that can ease user in viewing the data.

41.   **As to claim 35,** Steve teaches command line user interface (a command line user interface, page 5 of 8, ln 1-8).

42.   **As to claim 36,** Steve teaches graphic user interface (GUI, page 5 of 89, ln 1-8).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (571) 272 3767. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR of Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIP system, contact the Electronic Business

Center (EBC) at 866-217-9197(toll-free).

LeChi Truong

November 1, 2004

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